

ESTTA Tracking number: **ESTTA215982**

Filing date: **06/05/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Radar Networks, Inc.
Granted to Date of previous extension	06/07/2008
Address	410 Townsend Street San Francisco, CA 94107 UNITED STATES
Attorney information	Brian R. Coleman Perkins Coie, LLP 101 Jefferson Drive Menlo Park, CA 94025 UNITED STATES coleb@perkinscoie.com,welpe@perkinscoie.com,smithk@perkinscoie.com,corow@perkinscoie.com Phone:650.838.4300

Applicant Information

Application No	77312525	Publication date	04/08/2008
Opposition Filing Date	06/05/2008	Opposition Period Ends	06/07/2008
Applicant	Accoona Corp. 101 Hudson Street Jersey City, NJ 07302 UNITED STATES		

Goods/Services Affected by Opposition

Class 042. All goods and services in the class are opposed, namely: Computer services, namely, providing search engines for obtaining data on a global computer network
--

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	77975464	Application Date	07/17/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	TWINE		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 2007/10/03 First Use In Commerce: 2007/10/03 Computer services, namely, providing online non-downloadable computer software interfaces via global computer networks for use as database applications based on semantic storage and retrieval technologies, for use in storing, searching, navigating, collecting, organizing, authoring, editing, publishing, sharing, managing, and transmitting data and documents; computer services, namely, providing online non-downloadable software via global computer networks to allow users to perform collaboration and manage knowledge to permit multiple users to author, edit and share data and documents, to navigate and search data and documents, to collect and organize data and documents, and to perform electronic transactions related to data and documents; computer services, namely, providing online non-downloadable software via global computer networks for online collaboration, social networking, social media, messaging, collaboration, searching, community, publishing, entertainment, advertising and e-commerce

U.S. Application No.	77231975	Application Date	07/17/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	TWINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: Computer software, namely, database applications based on semantic storage and retrieval technologies, for use in storing, searching, navigating, collecting, organizing, authoring, editing, publishing, sharing, managing, and transmitting data and documents; computer software, namely database applications based on semantic storage and retrieval technologies, for use in social networking, social media, messaging, collaboration, search, publishing, advertising, and commerce via global computer networks		

U.S. Application No.	77439619	Application Date	04/03/2008
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	TWINE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: Advertising the goods and services of others via the Internet Class 045. First use: Online social networking services		

Attachments	77975464#TMSN.jpeg (1 page)(bytes) 77231975#TMSN.jpeg (1 page)(bytes) 77439619#TMSN.jpeg (1 page)(bytes) TWING Complaint.pdf (6 pages)(19907 bytes)
-------------	---

	extension of time to oppose.pdf (2 pages)(9767 bytes) TWINE (1).pdf (2 pages)(53897 bytes) TWINE (2).pdf (2 pages)(54666 bytes) TWINE (3).pdf (2 pages)(53107 bytes)
--	---

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.

Signature	/brian r. coleman/
Name	Brian R. Coleman
Date	06/05/2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

RADAR NETWORKS INC.,

Opposer,

v.

ACCOONA CORP.,

Applicant.

Opposition No.:

NOTICE OF OPPOSITION

Application Serial No.: 77/312,525

Filing Date: October 24, 2007

Publication Date: April 8, 2008

Radar Networks Inc. ("Opposer") believes that it will be damaged by registration of the mark TWING ("Applicant's Mark") by Accoona Corp. ("Applicant") with those goods ("Applicant's Goods") listed in Application Serial No. 77/312,525 (the "Application"), and hereby opposes the Application. As grounds for its opposition, Opposer alleges as follows:

I. PARTIES

1. Opposer is a Delaware corporation having its principal place of business at 410 Townsend, Suite 150 San Francisco California 94107.
2. On information and belief, Applicant is a Delaware corporation having a principal place of business at 101 Hudson St. Jersey City, New Jersey 07302.

II. OPPOSER'S MARK, GOODS AND SERVICES

3. Opposer is the owner of applications serial numbers: 77/231,975, 77/975,464, and 77/439,619 ("Opposer's Applications"), for the trademark TWINE ("Opposer's Marks").
4. Soft copies of Opposer's Applications, in the form of excerpts from the on-line records of the U.S. Patent & Trademark Office, are attached as Exhibit A hereto.
5. Opposer's Applications cover those goods and services listed in Opposer's Applications attached as Exhibit A ("Opposer's Goods and Services").
6. Opposer provides a variety of services under Opposer's Marks, including, inter alia, computer services, semantic storage and retrieval technologies, for use in searching; computer software,

namely database applications based on semantic storage and retrieval technologies for use in searching. Applicant provides a variety of goods and services as listed in Exhibit A.

7. Opposer's Applications 77/231,975 and 77/975,464 were filed on July 17, 2007.
8. Opposer's Application 77/439,619 was filed on April 3, 2008.

III. APPLICANT'S MARK AND GOODS

9. The Application was filed on October 24, 2007 ("Applicant's Filing Date") based on an intent to use Applicant's Mark in commerce, and was published in the Official Gazette on April 8, 2008.
10. The goods listed in the Application are "computer services, namely, providing search engines for obtaining data on a global computer network" ("Applicant's Goods").
11. On information and belief, Applicant has not used Applicant's Mark in commerce with any of Applicant's Goods prior to Applicant's Filing Date of October 24, 2007.

IV. PLEADING HISTORY

12. On April 9, 2007, Opposer filed a request to extend the time to oppose registration of Applicant's Mark. The Trademark Trial and Appeal Board granted Opposer's request, resetting Opposer's deadline to file a Notice of Opposition for June 7, 2008. *See* Exhibit B attached hereto.

V. LIKELIHOOD OF CONFUSION CLAIM

13. Opposer's Marks are distinctive for Opposer's Goods and Services.
14. For each of the use-based services listed in Opposer's Applications (attached hereto as Exhibit A), Opposer has continuously used Opposer's Marks in connection with such services since at least as early as the first use dates, as claimed in such applications.
15. Opposer has not abandoned Opposer's Marks in connection with any of Opposer's Goods and Services.
16. Opposer's Marks and Applicant's Mark are highly similar – TWINE and TWING.
17. Applicant's Mark and Opposer's Marks can be difficult to distinguish when spoken.
18. Applicant's Goods are related to Opposer's Goods and Services.

19. Opposer has priority. Applicant's Application was filed October 24, 2007 after the first use of Opposer's Marks on or at least as early as October 3, 2007 for Opposer's use-based services, and well after the filing dates of two of Opposer's three Applications on July 17, 2007.
20. In view of the highly similar nature of the parties' marks and the related nature of the goods and services of the parties, Applicant's Mark so resembles Opposer's Marks as to be likely to cause confusion, or to cause mistake, or to deceive as to the origin, sponsorship and approval of Applicant's Goods, and is likely to suggest an affiliation, connection or association of Applicant and Applicant's Goods with Opposer and Opposer's Goods and Services, with consequent injury to Opposer, the trade and to the public.
21. The registration of Applicant's Mark would prevent Opposer from exercising exclusive control over the goodwill and reputation associated with Opposer's Marks. Therefore, the registration of Applicant's Mark would damage and injure Opposer.
22. Opposer will also be damaged by the registration of Applicant's Mark because such registration will support statutory rights for Applicant in violation and derogation of Opposer's prior, superior and exclusive rights in Opposer's Marks.

VI. REQUEST FOR RELIEF

WHEREFORE, Opposer requests that the mark in Application Serial No. 77/312,525 be denied registration in Class 42.

DATED: Thursday, June 05, 2008

Respectfully submitted,

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>I hereby certify that a true and complete copy of the foregoing NOTICE OF OPPOSITION has been served on Accoona Corp. via Counsel of Record Colleen Parker, by mailing said copy on Thursday, June 05, 2008 via Federal Express Overnight Service to: Legal Department, Attn: Colleen Parker, Accoona Corp., at 101 Hudson St. Jersey City, New Jersey 07302.</p> <p>Signature: <u> /brian r. coleman/ </u></p> <p>Printed Name: <u> Brian R. Coleman </u></p>	<p>PERKINS COIE LLP</p> <p>By <u> /brian r. coleman/ </u></p> <p>Brian R. Coleman Perkins Coie LLP 101 Jefferson Dr. Menlo Park, CA 94025 (650) 838-4300 Attorneys for Radar Networks Inc.</p>
---	--

Exhibit A

Soft Copies of Opposer's Applications

Exhibit B

Extension of Time to Oppose Granted to Opposer

Coronel, Walter (Perkins Coie)

From: ESTTA@USPTO.GOV
Sent: Wednesday, April 09, 2008 5:31 PM
To: Coleman, Brian (Perkins Coie)
Subject: Extension of time to oppose

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Brian R. Coleman
Perkins Coie, LLP
101 Jefferson Drive
Menlo Park, CA 94025

Mailed: April 9, 2008

Serial No.: 77312525
ESTTA TRACKING NO: ESTTA203864

The request to extend time to oppose is granted until 6/7/2008 on behalf of potential opposer Radar Networks, Inc.

Please do not hesitate to contact the Trademark Trial and Appeal Board at (571)272-8500 if you have any questions relating to this extension.

New Developments at the Trademark Trial and Appeal Board

TTAB forms for electronic filing of extensions of time to oppose, notices of opposition, petition for cancellation, notice of ex parte appeal, and inter partes filings are now available at <http://estta.uspto.gov>. Images of TTAB proceeding files can be viewed using TTABVue at <http://ttabvue.uspto.gov>.

TRADEMARK TRIAL AND APPEAL BOARD RULE CHANGES

The USPTO has issued new rules pertaining to TTAB proceedings. Parties are urged to familiarize themselves with the new rules.

Among other changes, for any notice of opposition filed on or after November 1, 2007, the new rules require an opposer to provide proof of service of the notice of opposition upon the applicant at the time the notice of opposition is filed. Trademark Rule 2.101. (Parallel amendments to Trademark Rule 2.111 require a petitioner to include proof of service of the petition for cancellation.) Service may be made by any of the means set out in Trademark Rule 2.119(b). A certificate of service is adequate proof of service; service by a process server is not necessary. A notice of opposition (or petition for cancellation) filed without a certificate of service will not be instituted.

The notice of final rulemaking and a chart summarizing the changes contained in the notice are available for viewing on the TTAB web page:

www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf
www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Fri May 2 04:11:02 EDT 2008

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[BOTTOM](#)
[HELP](#)
[PREV LIST](#)
[CURR LIST](#)

[NEXT LIST](#)
[FIRST DOC](#)
[PREV DOC](#)
[NEXT DOC](#)
[LAST DOC](#)

[Logout](#)

Please logout when you are done to release system resources allocated for you.

[Start](#)

List At:

OR

[Jump](#)

to record:

Record 1 out of 14

[TARR Status](#)

[ASSIGN Status](#)

[TDR](#)

[TTAB Status](#)

(Use the "Back" button of the Internet Browser to return to TESS)

TWINE

Word Mark

TWINE

Goods and Services

IC 009. US 021 023 026 036 038. G & S: Computer software, namely, database applications based on semantic storage and retrieval technologies, for use in storing, searching, navigating, collecting, organizing, authoring, editing, publishing, sharing, managing, and transmitting data and documents; computer software, namely database applications based on semantic storage and retrieval technologies, for use in social networking, social media, messaging, collaboration, search, publishing, advertising, and commerce via global computer networks

Standard Characters Claimed

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

77231975

Filing Date

July 17, 2007

Current Filing Basis

1B

Original Filing Basis

1B

Published for Opposition

January 1, 2008

Owner

(APPLICANT) Radar Networks, Inc. CORPORATION DELAWARE 410 Townsend, Suite 150 San Francisco CALIFORNIA 94107

Attorney of
Record Brian R. Coleman
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead
Indicator LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

[| .HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Fri May 2 04:11:02 EDT 2008

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[BOTTOM](#)
[HELP](#)
[PREV LIST](#)
[CURR LIST](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

[Start](#) List At: OR [Jump](#) to record: **Record 2 out of 14**

[TARR Status](#)
[ASSIGN Status](#)
[TDR](#)
[TTAB Status](#)
(Use the "Back" button of the Internet Browser to return to TESS)

TWINE

Word Mark TWINE

Goods and Services IC 042. US 100 101. G & S: Computer services, namely, providing online non-downloadable computer software interfaces via global computer networks for use as database applications based on semantic storage and retrieval technologies, for use in storing, searching, navigating, collecting, organizing, authoring, editing, publishing, sharing, managing, and transmitting data and documents; computer services, namely, providing online non-downloadable software via global computer networks to allow users to perform collaboration and manage knowledge to permit multiple users to author, edit and share data and documents, to navigate and search data and documents, to collect and organize data and documents, and to perform electronic transactions related to data and documents; computer services, namely, providing online non-downloadable software via global computer networks for online collaboration, social networking, social media, messaging, collaboration, searching, community, publishing, entertainment, advertising and e-commerce. FIRST USE: 20071003. FIRST USE IN COMMERCE: 20071003

Standard
Characters
Claimed

Mark
Drawing (4) STANDARD CHARACTER MARK
Code

Serial
Number 77975464

Filing Date July 17, 2007

Current
Filing Basis 1B

Original Filing Basis 1B
Published for Opposition January 1, 2008
Owner (APPLICANT) Radar Networks, Inc. CORPORATION DELAWARE 410 Townsend, Suite 150 San Francisco CALIFORNIA 94107
Attorney of Record Brian R. Coleman
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

[| .HOME |](#) [SITE INDEX|](#) [SEARCH |](#) [eBUSINESS |](#) [HELP |](#) [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Trademarks > Trademark Electronic Search System (TESS)**

TESS was last updated on Fri May 2 04:11:02 EDT 2008

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#) [PREV LIST](#) [CURR LIST](#)
[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)[Logout](#) Please logout when you are done to release system resources allocated for you.[Start](#) List At: OR [Jump](#) to record: **Record 3 out of 14**[TARR Status](#) [ASSIGN Status](#) [TDR](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

TWINE

Word Mark	TWINE
Goods and Services	IC 035. US 100 101 102. G & S: Advertising the goods and services of others via the Internet
	IC 045. US 100 101. G & S: Online social networking services
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77439619
Filing Date	April 3, 2008
Current Filing Basis	1B
Original Filing Basis	1B
Owner	(APPLICANT) Radar Networks, Inc. CORPORATION DELAWARE 410 Townsend Street San Francisco CALIFORNIA 94107
Attorney of Record	Brian R. Coleman
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [TOP](#) [HELP](#) [PREV LIST](#) [CURR LIST](#)
[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)